

REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

In the pending Office Action, the Examiner rejected claims 13-14 and 18, under 35 U.S.C. §102(b), as being anticipated by Nakagawa et al. (*10 Gbit/s, 285 km Repeaterless Optical Transmission Experiments with a Highly Sensitive Optical Preamplifier*). The Examiner also objected to claims 15-17 as being dependent upon a rejected base claim, but indicated that these claims would be allowable if rewritten in independent form.

Prior to this Amendment, claims 13-18 were pending. In an effort to expedite the successful prosecution of this application, Applicant has cancelled rejected independent claim 13, without prejudice or disclaimer, has rewritten claim 15 in independent form to include the features of former independent claim 13 (as indicated by the Examiner), and has amended claims 14 and 18 to change the dependencies thereto. As such, only allowed claims 14-18 remain in this application of which claim 15 remains as the sole independent claim. Applicant submits that these changes have rendered the §102(a) rejection of claims 14-18 moot. Accordingly, Applicant respectfully requests the withdrawal of the §102(a) rejections of claims 14-18.

All matters having been addressed, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate issuance of a Notice of Allowance indicating allowed claims 14-18.

Applicants' Counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this application.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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